

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0079
ACC Rio Grande Campus #1

P. C. DATE: 09/25/12, 11/13/12, 11/27/12, 01/08/13
03/26/13

ADDRESS: 1218 West Avenue

AREA: 0.88 acres

APPLICANT: Austin Community College
(William Mullane)

AGENT: MWM Design Group, Inc.
(Frank Del Castillo, Jr.)

NEIGHBORHOOD PLAN AREA: Downtown

CAPITOL VIEW: Yes

T.I.A.: No

HILL COUNTRY ROADWAY: No

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: SF-3, Family Residence & P, Public.

ZONING TO: DMU, Downtown Mixed Use.

SUMMARY STAFF RECOMMENDATION:

Staff recommends DMU-CO, Downtown Mixed Use, Conditional Overlay. The Conditional Overlay will limit the height to sixty feet (60'), require a minimum five foot (5') front yard setback along West Avenue, prohibit the following uses: Automotive repair services, Automotive sales, Automotive washing, Bail bond services, Cocktail lounge, Counseling services, Drop off recycling collection facility, Exterminating services, Funeral services, Financial services, Guidance services, Liquor sales, Local utility services, Outdoor entertainment, Residential treatment, Restaurant general, Restaurant limited, Service station and will limit total vehicle trips to less than 2,000 per day.

DOWNTOWN COMMISSION RECOMMENDATION

The Downtown Commission at their regularly scheduled meeting of March 20th voted to recommend approval of the zone change request with conditions. Please see the attached memo from Michael Knox, the Downtown Officer.

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for DMU-CO combining district zoning was approved by Commissioner James Nortey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0;

DEPARTMENT COMMENTS:

The site is located in the Northwest District of the Downtown Austin Plan. The site is currently developed with a gymnasium and associated surface parking lot. The site is part of the Austin Community College Rio Grande Campus and is one of four zoning/rezoning requests submitted Austin Community College. The applicant is requesting a zone change to DMU which the staff supports with a height limit of sixty feet (60') which the applicant has agreed to. This site is located within the Red Bud Trail Capital View Corridor. The

site would not be affected by the Capital View Corridor since it allows for a maximum height of one hundred and fifty feet (150'). The applicant is requesting a five foot (5') front setback adjacent to West Avenue which the staff is in agreement with. The Original Austin Neighborhood Association is supporting the request by Austin Community College. (see attached letter) This site is located within the "desired development zone" where development is encouraged to locate. This site is within the Downtown Plan (CBD/DMU). Any new construction will require compliance with Green Building standards of ONE Star for all buildings constructed on this site.

BASIS FOR RECOMMENDATION:

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Granting DMU-CO would be in keeping with the adjacent uses and zonings in the area and would be in conformance with the recently adopted Downtown Austin Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	SF-3 & P	Gymnasium
NORTH	LO	Office
SOUTH	MF-4	Multifamily
EAST	UNZ	Community College
WEST	P	Recreation Center

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-06-0177 807 West Ave.	From MF-4 to DMU-CO	Approved DMU-CO [Vote: 7-0]	Approved DMU-CO [Vote: 5-0]
C14-2007-0212 907 Rio Grande	From MF-4 to LO-MU	Approved LO-MU [Vote 7-0]	Approved LO-MU [Vote 9-0]
C14-00-2236 609 West 9 th St.	From GO to GO - MU	Approved GO - MU [Vote 9-0]	Approved GO-MU [Vote 5-0]

NEIGHBORHOOD ORGANIZATION:

- Austin Neighborhoods Council
- Downtown Austin Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- West End Alliance
- Original Austin Neighborhood Assoc.

SCHOOLS:

Matthews Elementary School, O Henry Middle School, Austin High School

SITE PLAN:

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. There is a site plan currently approved for this property (SP-2008-0550C) which for the remodel of an existing gymnasium to classroom and office space (16,424.25 sq. ft.) and other associated improvement for approximately 66% Impervious Cover (25,263.86 sq. ft.)

SP3. The site is subject to compatibility standards. Along the north property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.

In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

SP4. The site is located within Criminal Justice Overlay, and two Capitol View Corridors from Red Bud Trail; height limits are strictly enforced. Additional comments will be made at the site plan review.

TRANSPORTATION:

TR1. No additional right-of-way is needed at this time.

TR2. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

TR3. Existing Street Characteristics:

<u>Name</u>	<u>ROW</u>	<u>Pavement</u>	<u>Class</u>	<u>Sidewalk?</u>	<u>Bus Route?</u>	<u>Bike Route?</u>
West Avenue	80	40	Collector	Yes	No	No

ENVIRONMENTAL:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to floodplain maps there is a floodplain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

CITY COUNCIL DATE: May 25, 2013**ACTION:****ORDINANCE READINGS:** 1ST 2ND 3RD**ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson
Clark.patterson@ci.austin.tx.us**PHONE:** 974-7691



MEMORANDUM

TO: Clark Patterson, Senior Planner
Planning and Development Review Department

FROM: Michael Knox, Downtown Officer
Economic Growth and Redevelopment Services Office

DATE: March 22, 2013

SUBJECT: ACC Zoning Recommendation

The Downtown Commission held its regular meeting on March 20, 2013. Meeting agenda Item #5 was to hear a presentation and take action on recommendations:

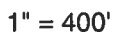
- C14-2012-0079 ACC 1218 West. Ave. – Rezoning from SF-3 and P to DMU
- C14-2012-0080 ACC 1204 West Ave. – Rezoning from LO, MF-4 and CS to DMU
- C14-2012-0081 ACC Block 153 – Rezoning from UNZ (unzoned) and UNZ-H to DMU and DMU-H
- C14-2012-0082 ACC Block 152 – Rezoning from GO and LR-CO to DMU

The Commission recommends approval of the zoning requests with the following conditions:

- DMU with a sixty foot height limit
- Inclusion of participation in the Austin Great Streets
- Prohibit restaurant general and cocktail lounges
- All prohibited uses included in the 1/17/13 Original Austin Neighborhood Association letter:

Automotive Repair Services, Bail Bond Services, Exterminating Services, Guidance Services, Outdoor Entertainment, Telecommunication Tower, Automotive Sales, Counseling Services, Funeral Services, Liquor Sales, Pawn Shop Services, Restaurant (Drive-in), Automotive Washing, Drop-Off Recycling Collection Facility, Financial Services, Local Utility Services, Residential Treatment, Service Station, and any use requiring an outdoor music permit.

Should additional information be needed, please contact me at 974-6415.





SUBJECT TRACT

SCHOOL

HOUSE PARK

RECREATION

OFFICE

UNIVERSITY

AUSTIN COMMUNITY

ANTIQUE

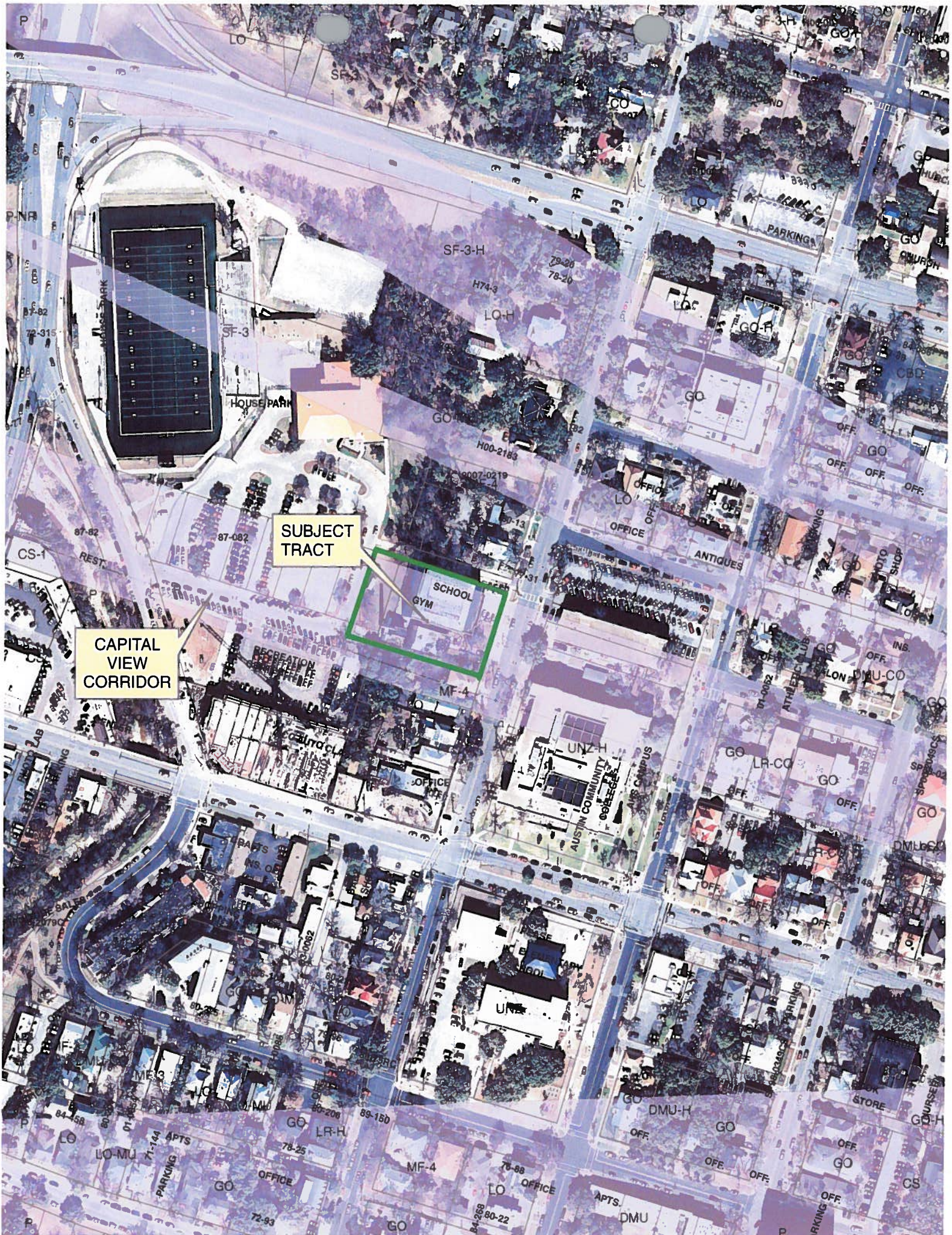
UNIVERSITY

AUSTIN COMMUNITY

APTS.

DMU

APTS.





Google earth

feet 10
meters 3



FN3177R(BS)
October 2003
SAM, Inc. Job No. 23243-01

Austin Community College
3.247 Acres (Tract 1)
0.8803 Acres (Tract 2)

THENCE, with the said north right of way line of West 12th Street, being the south line of the said "Academy" tract, N73° 16' 09" W, a distance of 275.88 feet to the **POINT OF BEGINNING**, containing 3.247 acres of land, more or less.

TRACT 2

DESCRIPTION OF A 0.8803 ACRE TRACT OF LAND (38,347 SQUARE FEET) LOCATED IN OUTLOT NO. SIX (6), DIVISION "E" OF THE GOVERNMENT OUTLOTS ADJOINING THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AS SHOWN ON THE MAP OR PLAT OF THE GOVERNMENT TRACT, OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, BEING ALL OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN AN INSTRUMENT FROM MARIEL ROBBINS, JONNIE BELLE PARKER AND HER HUSBAND W. E. PARKER, R. B. ROBBINS AND HIS WIFE JULIA D. ROBBINS, L. A. ROBBINS AND HIS WIFE MARGARET ROBBINS, H. A. ROBBINS AND HIS WIFE ETHEL ROBBINS AND W. L. ROBBINS AND HIS WIFE MARY ROBBINS TO THE BOARD OF TRUSTEES OF THE PUBLIC FREE SCHOOLS OF THE CITY OF AUSTIN, DATED OCTOBER 6, 1928, AND RECORDED IN VOLUME 419, PAGE 567 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED AS TRACT 2 IN SAID INSTRUMENT RECORDED IN VOLUME 419, PAGE 567, KNOWN AS LOT 1 OF THE GREGG ADDITION, AS SHOWN ON THAT PLAT RECORDED IN VOLUME 2, PAGE 207 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN AN INSTRUMENT FROM BENJAMIN F. WRIGHT TO AUSTIN PUBLIC FREE SCHOOLS, RECORDED IN VOLUME 441, PAGE 57 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, WHICH SAID DEED IS UNREADABLE AND REFERENCE IS MADE TO AN INSTRUMENT FROM R. C. WALKER AND WIFE PATTIE E. WALKER TO BENJAMIN F. WRIGHT, DATED DECEMBER 13, 1890, AND RECORDED IN VOLUME 101, PAGE 107 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS FOR ALL PERTINENT PURPOSES, AND A PORTION OF PARK ROW STREET VACATED BY CITY ORDINANCE NO. 810226-N, DATED FEBRUARY 26, 1981; SAID 0.8803 ACRE TRACT OF LAND, AS SHOWN ON THE ACCOMPANYING PLAT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with a plastic cap marked "SAM, INC." set in the west right of way line of West Avenue, an 80 foot right of way, for the southeast corner hereof, being the southeast corner of the said tract of land described in Volume 441, Page 57, and being the northeast corner of that tract of land described in an instrument from Mrs. Ethel Hartman to Louise Hartman Trull, dated July 20, 1956, and recorded in Volume 1711, Page 350 of the Deed Records of Travis County, Texas, from which an iron pipe found bears S 74° 07' 53" E, a distance of 2.18 feet;

THENCE, with the south line of the said tract of land described in Volume 441, Page 57, same being the north line of the said Trull tract, N 73° 35' 23" W, at 197.35 feet pass a 1/2-inch iron rod found, in all a distance of 198.25 feet to a 1/2-inch iron rod with a plastic cap marked "SAM, INC." set for an interior ell corner hereof, being the northwest corner of the said Trull tract, and being on the east line of the said vacated Park Row Street;

FN3177R(BS)
October 2003
SAM, Inc. Job No. 23243-01

Austin Community College
3.247 Acres (Tract 1)
0.8803 Acres (Tract 2)

THENCE, with the west line of the said Trull tract, being the east line of the said vacated Park Row Street, S 16° 54'43" W, a distance of 5.28 feet to a 1/2-inch iron rod with a plastic cap marked "SAM, INC." set, from which a 1/2-inch iron rod found for the northwest corner of that tract of land described in an instrument from Theodore J. Siff, Trustee to Waterloo II, LTD., dated May 7, 1985, and recorded in Volume 10467, Page 439 of the Real Property Records of Travis County, Texas, being an interior ell corner of that tract of land called to be 35,580 square feet (Exhibit "A"), as described in an instrument from H. E. Butt Store Property Company No. One to Austin Community College District, dated May 1, 1989, and recorded in Volume 10931, Page 971 of the Real Property Records of Travis County, Texas, bears S 16°54'43" W, a distance of 173.07 feet;

THENCE, with the centerline of the said vacated Park Row Street, N 73° 06' 00" W, a distance of 49.99 feet to a PK nail with washer marked "SAM, INC." set for the southwest corner hereof;

THENCE, with the west line hereof, being in part over and across the said vacated Park Row Street, in part the west line of the said Tract 2 described in Volume 419, Page 567, being the east line of Lot 2 of the said Gregg Addition (Tract 1), as described in an instrument from Texas National Bank of Beaumont to the Board of Trustees of the Austin Public Free Schools, dated July 2, 1927, and recorded in Volume 352, Page 338 of the Deed Records of Travis County, Texas, said Lot 2 also being described in an instrument from D. A. Gregg and his wife, Lorene Gregg to the Board of Trustees of the Austin Public Free Schools, dated July 12, 1923, and recorded in Volume 350, Page 478 of the Deed Records of Travis County, Texas, N 16° 54' 00" E, a distance of 159.28 feet to a 1/2-inch iron rod with a plastic cap marked "SAM, INC." set for the northwest corner hereof, being the northwest corner of the said Tract 2 described in Volume 419, Page 567, and being the northeast corner of the said Lot 2, and also being on the south line of that tract of land described in an instrument from E. M. House to the City of Austin, dated August 26, 1903, and recorded in Volume 180, Page 139 of the Deed Records of Travis County, Texas, from which a 1/2-inch iron rod found bears S 85° 01' 21" E, a distance of 3.62 feet;

THENCE, with the south line of the said City of Austin tract of land described in Volume 180, Page 139, being in part the north line of the said Tract 2 described in Volume 419, Page 567, and in part the north line of the said Tract 1 described in Volume 419, Page 567, S 73° 16' 09" E, a distance of 247.35 feet to a PK nail with washer marked "SAM, INC." set in the said west right of way line of West Avenue for the northeast corner hereof, being the northeast corner of the said Tract 1 described in Volume 419, Page 567, and being the southeast corner of the said City of Austin tract of land described in Volume 180, Page 139;

FN3177R(BS)
October 2003
SAM, Inc. Job No. 23243-01

Austin Community College
3.247 Acres (Tract 1)
0.8803 Acres (Tract 2)

THENCE, with the said west right of way line of West Avenue, being in part the east line of the said Tract 1 described in Volume 419, Page 567, and in part the east line of the said tract of land described in Volume 441, Page 57, S 16° 34' 07" W, a distance of 153.04 feet to the **POINT OF BEGINNING**, containing 0.8803 acres (38,347 square feet) of land, more or less.

BEARING BASIS: Bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (1993) HARN, NAVD 88. The distances are adjusted to surface using a combined scale factor of 0.99994097714. All units are U. S. Survey Feet.

THE STATE OF TEXAS

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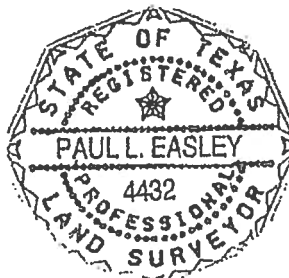
KNOW ALL MEN BY THESE PRESENTS:

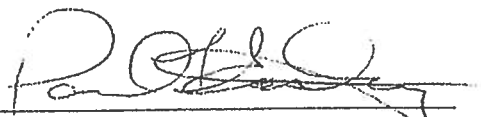
COUNTY OF TRAVIS

That I, Paul L. Easley, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during October of 2003 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 25th day of March, 2004A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290
Building B
Austin, Texas 78735




Paul L. Easley
Registered Professional Land Surveyor
No. 4432 - State of Texas

Draft - May 21, 2010

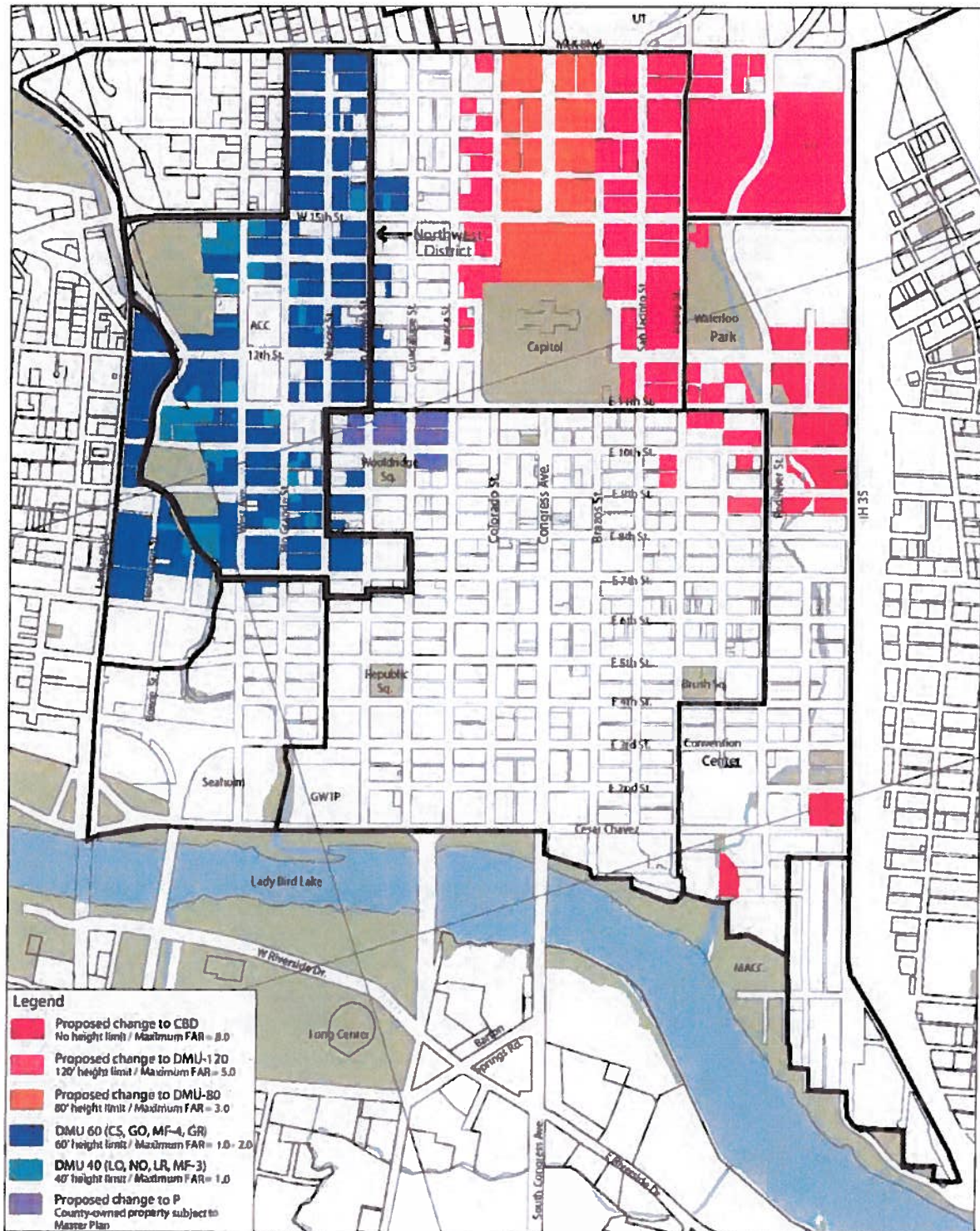
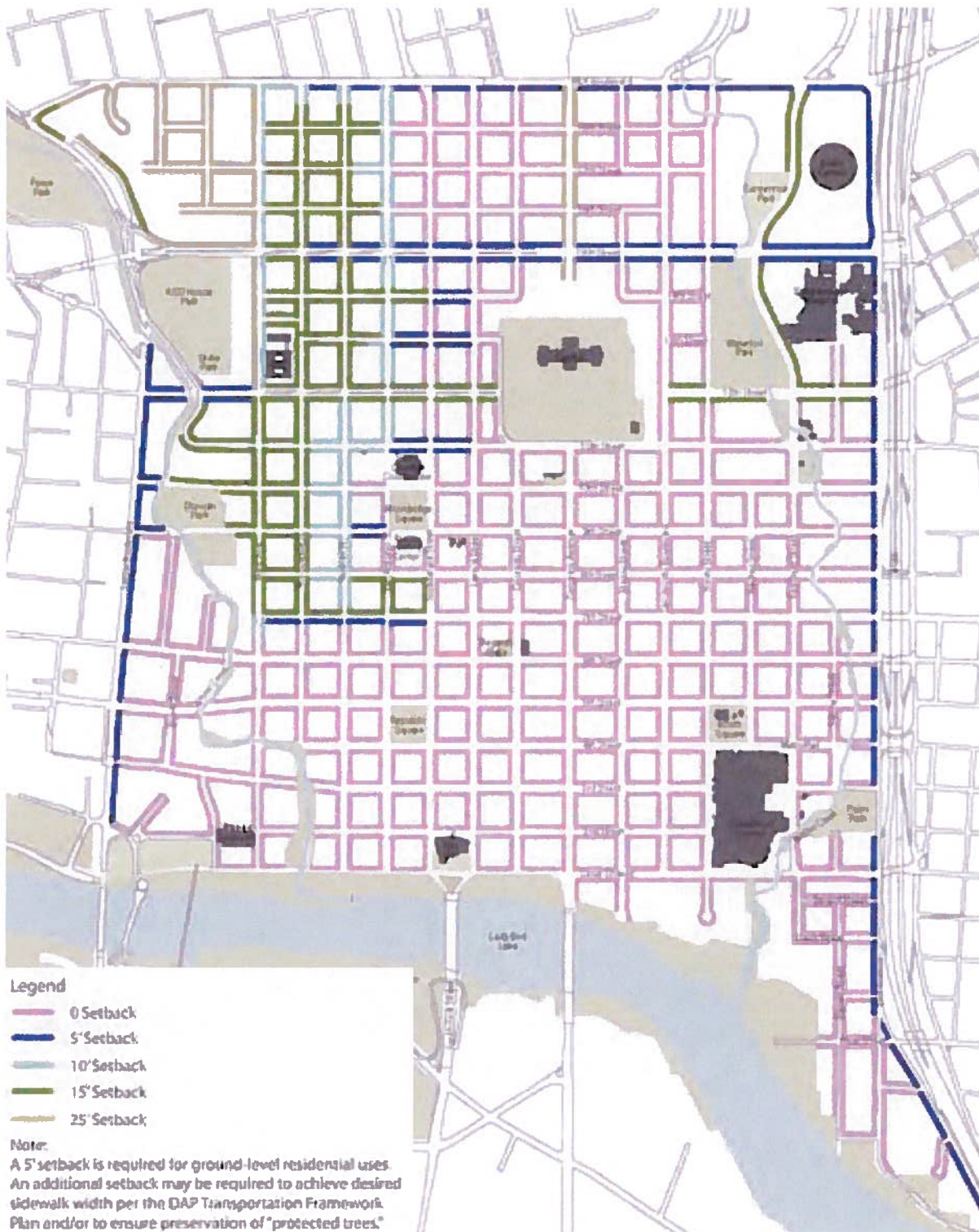
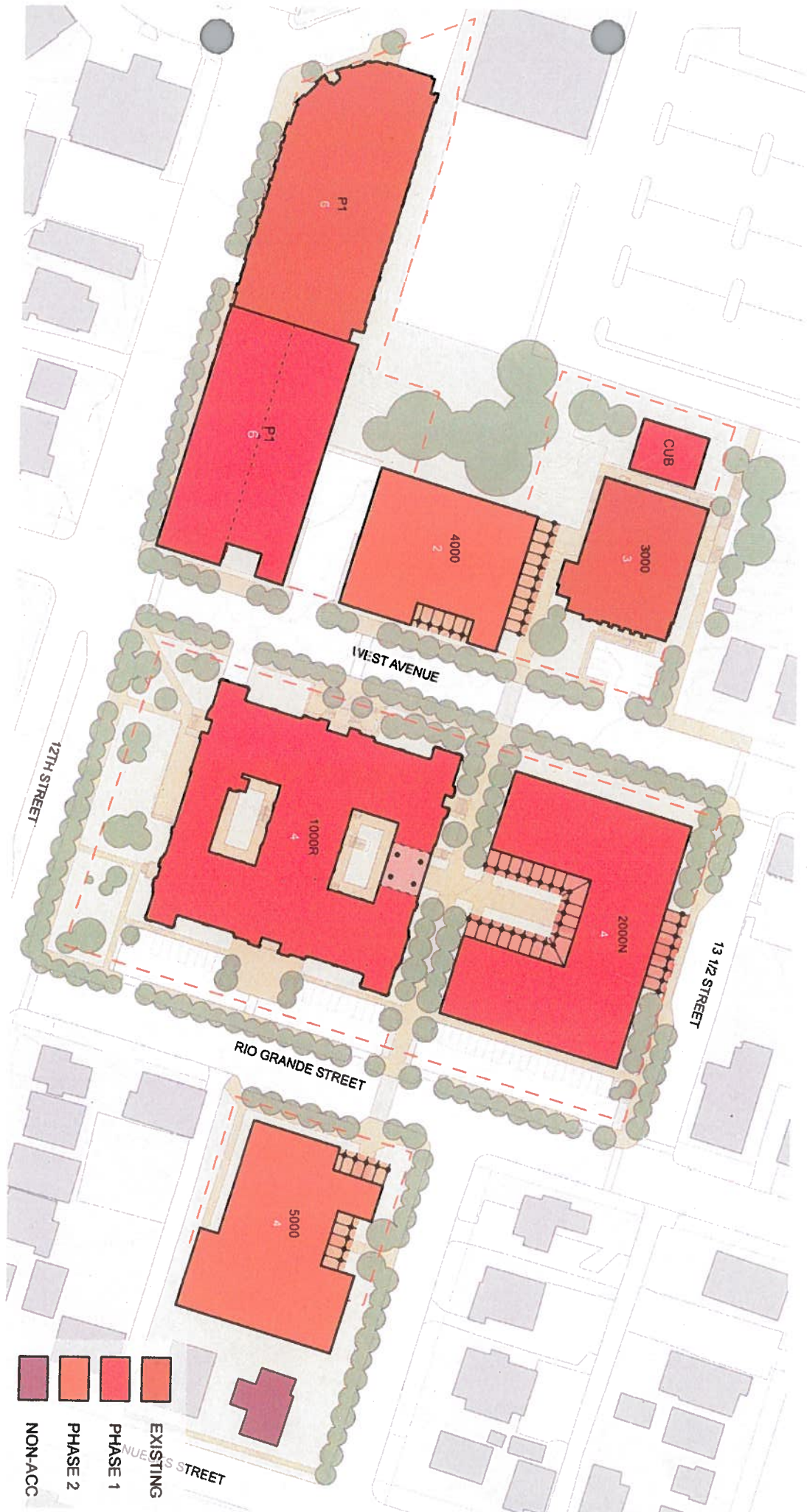


Figure 7:
Northwest District Proposed Zoning Changes

Amendment 42



Streetfront Setback Requirements Map





Post Office Box 1282
Austin, TX 78767
www.originalaustin.org

January 17, 2013

Mr. Bill Mullane
Executive Director, Facilities and Construction
Austin Community College District
9101 Tuscany Way
Austin, Texas 78754

RE: Rezoning of ACC – Rio Grande Campus: C14-2012-082
Revision of Original Letter of Conditional Support dated June 6, 2012

Dear Mr. Mullane:

The Original Austin Neighborhood Association (OANA) Board of Directors met on January 8, 2013 and reviewed its position on the ACC-Rio Grande Campus plan, as well as the zoning case associated with it. Thank you for attending our meeting. As you know, we had further discussion of the ACC Rio Grande Campus master plan, and are submitting the following restatement and additions to our letter of June 6, 2012 in which we conditionally endorsed the master plan.

Like in the original letter, I've organized our response into three sections: zoning, setbacks and compatibility. Here it is:

Zoning

We thank you for working with OANA over the last 3 years. We appreciate the opportunities we've had to discuss your plans and to provide input. We anticipate that you will be submitting a request to rezone nine (9) parcels of land in connection with your Rio Grande Campus plan. Our understanding of your zoning change requests is as follows:

1204 West Ave	from LO, MF-4, CS	to DMU
1206 West Ave	from LO, MF-4	to DMU
1215½ West Ave	from UNZ	to DMU
1218 West Ave	from SF-3, P	to DMU
1212 Rio Grande St	from UNZ-H	to DMU-H
1216 Rio Grande St	from UNZ	to DMU
1209 Rio Grande St	from GO	to DMU
1215 Rio Grande St	from GO	to DMU
605 West 13 th St	from LR-CO	to DMU

With regard to these zoning requests, we support them, subject to the following conditions and reservations

1. Height: We support your effort to accommodate an increasing number of students and we support the Downtown Austin Plan's (DAP) recommendations regarding building height. The condition we propose is to restrict height to 60' on all 9 ACC-RGC properties, and therefore don't support your request for greater height on the 1216 Rio Grande Street property. This would make all your zoning requests conform to the DAP.

We understand that requiring DMU-60 on the 1216 Rio Grande property with the retention of the Annex Building (which we request in the Use conditions below) itself limits your student capacity, but it is hoped that an architecturally compatible addition to the Annex Building can meet most of your on the main campus expansion criteria.

2. Uses:

After further discussion and review, we do not support your planned demolition of the Annex Building at 1216 Rio Grande Street and we ask you to restore and integrate the Annex Building into the ACC-RGC master plan.

In addition, we propose is that the following potential uses of the property be prohibited:

- | | | |
|---|-------------------------|--|
| - Automotive Repair Services | - Automotive Sales | - Automotive Washing |
| - Bail Bond Services | - Counseling Services | - Drop-Off Recycling Collection Facility |
| - Exterminating Services | - Funeral Services | - Financial Services |
| - Guidance Services | - Liquor Sales | - Local Utility Services |
| - Outdoor Entertainment | - Pawn Shop Services | - Residential Treatment |
| - Telecommunications Tower | - Restaurant (Drive-in) | - Service Station |
| - and any use requiring an outdoor music permit | | |

We also ask that on the main campus, defined by West 12th, Rio Grande and West 13th ½ Streets and West Avenue, the main building's current restrictive covenant be extended over the entire main campus to allow only educational uses, educational use being defined in such a way as to discourage future use of the campus for nonstandard educational purposes.

3. Great Streets: We ask that that any and all development on each property include participation in the Austin Great Streets Program.

Setback requirements

The street right-of-way for West Avenue is 80' with a pavement width of 40'. This provides for 20' of open space between the curb and the property line on each side of the street. In addition, the Downtown Austin Plan requires an additional 25' of building setback on the west side of West Avenue and an additional 10' of setback on the east side of West Avenue, for a total distance from the curb to any proposed building of 45' on the west side and 30' on the east side of the street, as shown on the Street front Setback Requirements Map. We understand that you will be requesting a modification to the Northwest District Street Front Setback Requirements as follows:

1204 West Ave	from 25 feet setback	to 5 feet setback or 25-feet from curb
1206 West Ave	from 25 feet setback	to 5 feet setback or 25-feet from curb
1218 West Ave	from 25 feet setback	to 5 feet setback or 25-feet from curb

We support these requests for changes in the setback requirements because they will benefit pedestrians and allow for more effective utilization of the properties.

Compatibility

The Proposed Downtown Compatibility Zones and Standards provide for maximum height limitations that will affect your property because of the incorrect SF-3 Zoning that currently exists on the House Park property. We understand that you will be requesting a waiver to the Downtown Compatibility standards to eliminate the height limitations in relation to any parcel zoned or designated use as single-family. The waiver will only apply to Block 153.

OANA simply observes that the House Park property is incorrectly zoned and that this mistake should be corrected. Therefore, **OANA recommends that the City of Austin correct the zoning on the House Park property by changing it to P-Public**, which would remove 'compatibility' as an issue.

As stated and conditioned above, OANA supports Austin Community College's rezoning request, and looks forward to the proposed improvements of the Rio Grande Campus. If we need to provide support by attending a Planning Commission meeting or City Council meeting, let us know when the meeting(s) will be and we will have one of our representatives present.

Should you have any questions, please contact me.

Sincerely,



Ted Siff, President

Board of Directors*

Albert Stowell, Treasurer

Blake Tollett, Secretary

Ray Canfield

Rick Hardin

Paul Isham

Perry Lorenz

John Horton

Bill Schnell

***Karen Armstrong and Tom Borders were elected to the OANA Board of Directors at OANA's General Membership Meeting on January 8th, but after the board meeting, and did not participate in this discussion or vote.**